

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION (DAYTON)**

THE PROCTER & GAMBLE COMPANY,

Plaintiff/Counterclaim - Defendant,

V.

THE COCA-COLA COMPANY,

**Defendant/Counterclaim - Plaintiff.**

Civil Action No.: C-1-02-393

Hon. Walter Herbert Rice (Chief Judge)

Hon. Sharon Ovington (Magistrate)

**THE COCA-COLA COMPANY'S UNOPPOSED MOTION FOR  
ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S MOTION  
FOR LEAVE TO FILE SECOND AMENDED COMPLAINT**

Defendant The Coca-Cola Company files this Motion for a two-week enlargement of time to file its opposition brief to Plaintiff's Motion for Leave to File Second Amended Complaint. This is The Coca-Cola Company's first request for an enlargement of time to its opposition brief. The Coca-Cola Company's opposition brief is currently due September 4, 2003, and the two-week enlargement of time would extend the due date to September 18, 2003.

The Coca-Cola Company respectfully requests this additional time because of commitments related to discovery, including numerous scheduled depositions, which are to be completed by the close of fact discovery, September 23, 2003.

The Coca-Cola Company's counsel has spoken to counsel for The Procter & Gamble Company and is informed that The Procter & Gamble Company consents to the requested enlargement.

A proposed Order is attached.

Respectfully submitted,

s/Roger J. Makley

Roger J. Makley (0018702)

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and accurate copy of THE COCA-COLA COMPANY'S UNOPPOSED MOTION FOR ENLARGEMENT OF TIME TO RESPOND TO PLAINTIFF'S MOTION FOR LEAVE TO FILE SECOND AMENDED COMPLAINT was served on this 4<sup>th</sup> day of September 2003, via facsimile and Federal Express to Plaintiff's counsel:

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